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6 Attorneys for Defendant THE BOARD
OF TRUSTEES OF THE CALIFORNIA
7 STATE UNIVERSITY (incorrectly sued
as "CALIFORNIA STATE UNIVERSITY
8 FULLERTON") and DAVID FORGUES

9
10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

12 KATIE CAPPUCCIO,

13 Plaintiff,

14 v.

15 CALIFORNIA STATE UNIVERSITY,
16 FULLERTON, and DAVID
17 FORGUES, in his individual capacity
and office capacity as Vice President of
Human Resources,

18 Defendants.
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Case No. 8:23-cv-02026-FWS-DFM

**DECLARATION OF HEATHER C.
DAVIS IN SUPPORT OF CSU'S
REQUEST FOR JUDICIAL
NOTICE OF PUBLIC HEALTH
ORDERS FOR TRIAL**

Pretrial Conf.: July 17, 2025
Time: 8:30 a.m.
Trial August 19, 2025

Judge: Hon. Fred W. Slaughter
Crtrm.: Santa Ana, 10D
Magistrate: Douglas F. McCormick
Crtrm: Santa Ana, 6B

**EXEMPT FROM FEES
GOVT. CODE § 6103**

1 I, Heather C. Davis, declare as follows:

2 1. I am an attorney with Quarles & Brady LLP, attorneys of record for
3 Defendant THE BOARD OF TRUSTEES OF THE CALIFORNIA STATE
4 UNIVERSITY (incorrectly sued as “CALIFORNIA STATE UNIVERSITY
5 FULLERTON”) and DAVID FORGUES in the above-entitled matter, and am
6 licensed to practice before this Court. I have personal knowledge of the following
7 facts and, if called as a witness, could and would testify competently thereto.

8 2. In or about January 2025, my office accessed the California
9 Department of Public Health governmental website and viewed the State Public
10 Health Officer Order of September 13, 2022. The September 13, 2022 order
11 contained State Public Health Officer Order July 26, 2021. The September 13, 2022
12 Order was found at the following web addresses:

- 13 • [https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-
14 19/Order-of-the-State-Public-Health-Officer-Unvaccinated-Workers-
15 In-High-Risk-Settings.aspx](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Unvaccinated-Workers-In-High-Risk-Settings.aspx)

16 My office downloaded the September 13, 2022 Orders at that time. A true and
17 correct copy is attached hereto as **Trial Exhibit 59**.

18 3. In or about February 2025, my office also accessed the California
19 Department of Industrial Relations governmental website and viewed California
20 Code of Regulations, Title 8, Section 3205. Covid-19 Prevention effective on June
21 17, 2021 (the Cal OSHA Emergency Temporary Standards), which was found at the
22 following web address:

- 23 • <https://www.dir.ca.gov/dosh/.archive/title8/3205-Jun.17.2021.html>

24 My office downloaded the June 17, 2021 Cal OSHA Emergency Temporary
25 Standards at that time. A true and correct copy is attached hereto as **Trial Exhibit
26 99**.

27 I declare under penalty of perjury under the laws of the United States of
28 America that the foregoing is true and correct.

Executed on this 18th day of June, 2025, at San Diego, California.

/s/ Heather C. Davis
Heather C. Davis